

### Remarks

Claims 1-34 are pending in the application. All claims stand rejected. By this paper, claims 2, 6-8, 27, and 31-33 have been cancelled. New claims 35, 36, and 37 have been added. Reconsideration of all pending claims is respectfully requested.

Independent claims 1 and 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by United States Patent No. 5,815,197 to Kakii ("Kakii"). By this paper, claim 1 is amended to include the limitation of the flexible coupling having a loop of flexible material having a length sufficient to encircle the display. Kakii does not disclose a loop of flexible material having a length sufficient to encircle the display. In Kakii, the support mechanism (10) is not a loop and does not include flexible material.

Claim 1 is further patentable over the combination of Kakii and JP 07-131697 to Takeo et al. ("Takeo") because nonanalogous art cannot form the basis of a rejection. Kakii and Takeo cannot properly be combined to yield Applicants' invention because a stationary display mount is not analogous with a body attachment. Takeo is also nonanalogous to Applicant's invention. The standard for determining whether art is nonanalogous is as follows:

The determination that a reference is from a nonanalogous is therefore twofold. First we decide if the reference is within the field of the inventor's endeavor. If it is not, we proceed to determine whether the reference is reasonably pertinent to the particular problem with which the inventor was involved.

*In re Wood*, 599 F.2d 1032, 202 USPQ 171 (CCPA 1979).

Takeo does not pass either test with respect to Kakii or the Applicant's invention. In Kakii, the camera is necessarily mounted in a stationary position fixed to a display for videoconferencing. In Taeko, the camera is mounted to an individual's head to capture footage from the individual's perspective. The Taeko camera mount is subject to constant movement, and a stationary position is not contemplated or even possible. As evidenced by Figure 5 of Taeko, the camera mount is suitable for sporting and recreational activities. Videoconferencing requires a stationary mount and a mounting to an output device. Neither requirement is possible by the head mount of Taeko. Accordingly, Taeko is not in the same field of endeavor as videoconferencing. Taeko is also not pertinent to the problem addressed by Kakii or Applicant's invention. Coupling a camera to one's head is not pertinent to the problem of maintaining a camera at eye level on a display to enable videoconferencing. Taeko is inapposite to Applicant's invention and cannot properly be the basis for a rejection under 35 U.S.C. § 103(a).

Kakii and Taeko also do not provide motivation to combine the references. "Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination." *ACS Hospital Systems, Inc. v. Moteffore Hospital*, 732 F.2d 1572, 1577 (Fed. Cir. 1984). Even if all the elements of claim are disclosed in the various prior art references, the claimed invention taken as a whole cannot be said to be obvious without some reason given in the prior art why one of ordinary skill would have been prompted to combine the teachings of the references to arrive at the claimed invention.

Taeko discloses a head mounted camera to film from the user's perspective. The captured film is reviewed, either presently or subsequently, to enjoy the experience of the user. The head mounted camera necessarily moves with the user. Kakii discloses a camera for two-way communication which must be mounted to an output device and must be stationary. There is no teaching or suggestion in Taeko of using the head mounted camera for videoconferencing. Videoconferencing with a head mounted camera is certainly not an effective technique and does not provide practical results. Because the Taeko camera is not mounted to an output device and because of the inherent movement of a head mounted camera, Taeko teaches away from Kakii and the present invention. There is no impetus to combine a videoconference camera mount of Kakii with a head mounted camera of Taeko. Accordingly, Taeko is not properly combined with Kakii and does not present a bar to patentability of the present invention.

By this paper, claim 19 has been amended to include the limitation of the flexible line comprising a flexible material. In Kakii, the support mechanism (10) includes two rigid members that are pivotably mounted to one another. Kakii does not disclose a flexible material, such as a thread, cord, or cable, as taught by the present invention. As this limitation is not taught by the cited references, claim 19 represents patentable subject matter.

Independent claim 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 2000-214517 to Takashi ("Takashi") in view of Takeo. Takashi is similar to Kakii in the teaching of a camera mounted to a display. Claim 9 includes the limitation of a flexible loop having a length sufficient to encircle a display and

exert pressure against the display. This limitation is not taught by Takashi. Furthermore, for the reasons given above in reference to claim 1, Takeo is nonanalogous to videoconferencing. There is further no suggestion or motivation to combine Takeo with videoconferencing equipment. Thus, Takeo is not properly combined with Takashi, and claim 9 represents patentable subject matter.

Independent claims 26 and 34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takashi. By this paper, claim 26 includes the limitation of a flexible loop having a length sufficient to encircle the display. This limitation is not taught by Takashi. Furthermore, for the same reasons given above, Takashi and Takeo are not properly combined and do not obviate claim 26.

By this paper, claim 34 has been amended to include the limitation of a flexible coupling means comprising a flexible material. Takashi discloses support mechanisms with rigid members. In Figures 6 and 7 of Takashi, the rigid members are pivotably coupled to one another, but do not include a flexible material. For the same reasons given above, Takashi and Takeo are not properly combined and do not obviate claim 34.

By this paper, new independent method claim 35 has been added and includes the limitation of a flexible coupling comprising a flexible line having a flexible material. For the same reasons given above in reference to claim 26, claim 35 likewise is patentable over the cited prior art references.

In view of the foregoing, independent claims 1, 9, 19, 26, 34, and 35 represent patentable subject matter. As the remaining depending claims each include the

limitations of their respective independent claim, they likewise represent patentable subject matter. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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